

Whatcom felon's plea after a retrial is ordered cuts his prison sentence by 11 years

[By Denver Pratt](#)

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A Bellingham felon who once served time for the death of a sheriff's deputy will serve more than 11 years less time for his latest crimes after the state Supreme Court ruled in 2018 that a juror was dismissed in error.

Adrian Sassen Van Elsloo, 37, pleaded guilty Monday, July 29, to three counts of first-degree unlawful possession of a firearm, three counts of unlawful possession of a controlled substance with intent to deliver, two counts of unlawful possession of a controlled substance and one count of attempt to elude a pursuing police vehicle. He was sentenced in Whatcom County Superior Court to a little more than 11 years.

Sassen Van Elsloo originally was given a sentence of almost 8½ years, with an additional 13 years for firearm enhancements, according to court records. The firearm enhancements were to be served after he completed the 8½-years sentence, and there was no eligibility for early release while serving them, according to Angela Anderson, chief deputy Public Defender.

Now, Sassen Van Elsloo will get credit for time already served in prison. He has around three years left to serve, court records show.

[It is his 19th felony conviction](#), one of which is for a 2001 police chase that resulted in the death of a Whatcom County Sheriff's deputy Matt Herzog.

Herzog was in the passenger seat of a squad car, with a deputy in-training behind the wheel, when Sassen Van Elsloo led them on a high-speed chase through the outskirts of Bellingham. The chase ended when the patrol car crashed into a tree by Samish Way and Elwood Avenue. Herzog died the following day. Sassen Van Elsloo was sentenced to four years in prison for the chase, and spent time in and out of jail after his release.

Sassen Van Elsloo also was convicted in a December 2012 chase, when he ran at least five cars off the road, hit spike strips and got into a police stand-off where he held a revolver to his head, records state. Police fired bean bag rounds at him and he was arrested, according to court records.

The [state Supreme Court ruled 5-4 in 2018](#) to overturn his 2014 convictions and vacate his prison sentence. It determined that the Whatcom County trial court abused its discretion when it dismissed a juror who recognized a key witness after she testified. The Supreme Court determined the juror had no bias toward the case, even though she had briefly met the witness before the trial.

The Supreme Court decided the juror was dismissed because the witness was critical for the defense, and not because the juror had displayed actual bias or was unable to try the case fairly.

The Supreme Court's decision also established a new rule that a defendant's constitutional right to a unanimous verdict is violated if the trial court dismissed a juror because of their views of the evidence.

Sassen Van Elsloo time he will serve in prison was updated Aug. 1, 2019.



Denver Pratt

360-715-2236

Reporter Denver Pratt joined The Bellingham Herald in 2017 and covers courts and criminal and social justice. She has worked in Montana, Florida and Virginia.

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